

# Senate Journal

## Second Regular Session of the Fifty-fifth Legislature of the State of Oklahoma

Sixty-fifth Legislative Day, Tuesday, May 24, 2016

The Senate was called to order by Senator Griffin.

Roll Call:

Present: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.—47.

Excused: Sykes.—1.

Senator Griffin declared a quorum present.

The prayer was offered by Pastor Dwayne Case, Northeast Church of Christ, Oklahoma City, the guest of Senator Pittman.

### INTRODUCTION

Senator Mazzei introduced his son, Caleb, to the Senate.

### PENDING CONSIDERATION OF CCR

The **CCR** on **HB 2763** was adopted upon motion of Senator Holt.

**HB 2763**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz,

Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat and Yen.--42.

Nay: Bass and Wyrick.--2.

Excused: Barrington, Garrison, Shortey and Sykes.--4.

The bill passed.

**HB 2763**, together with the conference committee report thereon, was ordered returned to the Honorable House.

Senator Schulz moved that the Senate recess to the Call of the Chair, which motion was declared adopted.

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The Senate reconvened with Senator Griffin presiding.

Senator Griffin questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2273** was adopted upon motion of Senator Smalley.

**HB 2273**, as amended in conference, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--44.

Excused: Crain, Garrison, Jolley and Sykes.--4.

The bill and emergency passed.

**HB 2273**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The 3<sup>rd</sup> **CCR** on **HB 1116** was adopted upon motion of Senator Standridge.

**HB 1116**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Jech, Justice, Loveless, Marlatt, Matthews, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--36.

Nay: Allen, Brecheen, Dahm, Holt, Mazzei, Smalley and Treat.--7.

Excused: Crain, Garrison, Jolley, Newberry and Sykes.--5.

The Chair advised that Senator Newberry, having been present in the Chamber during the vote on **HB 1116** would be shown voting Nay in compliance with Rule 8-31B. The vote thereby resulted as follows: Aye: 36; Nay: 8; Excused: 4.

The bill passed.

**HB 1116**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**Senator Marlatt presiding.**

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 1065** was adopted upon motion of Senator Stanislawski.

**HB 1065**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--44.

Excused: Crain, Garrison, Jolley and Sykes.--4.

The bill passed.

**HB 1065**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2249** was adopted upon motion of Senator Dossett.

**HB 2249**, as amended in conference, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Mazzei, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Simpson, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--34.

Nay: Allen, Brecheen, Brown, Dahm, David, Newberry, Shortey, Silk and Smalley.--9.

Excused: Crain, Garrison, Jolley, Sykes and Treat.--5.

The bill and emergency passed.

**HB 2249**, together with the conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2261** was adopted upon motion of Senator Sparks.

**HB 2261**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Dossett, Fields, Floyd, Ford, Fry, Halligan, Holt, Jech, Justice, Loveless, Marlatt, Matthews, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Simpson, Smalley, Sparks, Standridge, Stanislawski, Thompson, Wyrick and Yen.--35.

Nay: Brecheen, Brooks, Brown, Dahm, David, Griffin, Jolley, Mazzei and Silk.--9.

Excused: Crain, Garrison, Sykes and Treat.--4.

The bill passed.

**HB 2261**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2797** was adopted upon motion of Senator Griffin.

**HB 2797**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat and Wyrick.--42.

Nay: Sparks.--1.

Excused: Crain, Floyd, Garrison, Sykes and Yen.--5.

The bill passed.

**HB 2797**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF JCR**

The **JCR** on **HB 3205** was adopted upon motion of Senator Mazzei.

**HB 3205** was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--44.

Excused: Crain, Garrison, Sparks and Sykes.--4.

The bill passed.

**HB 3205** together with the joint conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF JCR**

The **JCR** on **HB 3208** was adopted upon motion of Senator Jolley.

**HB 3208** was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Anderson, Barrington, Bice, Bingman, Boggs, Brooks, Brown, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jolley, Justice, Marlatt, Newberry, Paddack, Quinn, Schulz, Sharp, Shaw, Simpson, Standridge, Stanislawski, Thompson, Treat and Yen.--29.

Nay: Allen, Bass, Brecheen, Dahm, Dossett, Floyd, Jech, Loveless, Matthews, Mazzei, Pittman, Shortey, Silk, Smalley and Wyrick.--15.

Excused: Crain, Garrison, Sparks and Sykes.--4.

The bill passed.

**HB 3208** together with the joint conference committee report thereon, was ordered returned to the Honorable House.

#### **PENDING CONSIDERATION OF CCR**

The **CCR** on **HB 2646** was adopted upon motion of Senator Barrington.

**HB 2646**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--44.

Excused: Crain, Garrison, Sparks and Sykes.--4.

The bill passed.

**HB 2646**, together with the conference committee report thereon, was ordered returned to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1380** was adopted upon motion of Senator Ford.

**SB 1380**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--44.

Excused: Crain, Garrison, Sparks and Sykes.--4.

The bill passed.

**SB 1380**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

**PENDING CONSIDERATION OF CCR**

The **CCR** on **SB 1185** was adopted upon motion of Senator David.

**SB 1185**, as amended in conference, was read at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Allen, Anderson, Bass, Bice, Bingman, Boggs, Brecheen, Brooks, Brown, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Matthews, Mazzei, Newberry, Paddack, Pittman, Quinn, Schulz, Sharp, Shaw, Shortey, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Wyrick and Yen.--42.

Nay: Barrington and Halligan.--2.

Excused: Crain, Garrison, Sparks and Sykes.--4.

The bill passed.

**SB 1185**, together with the conference committee report thereon, was ordered transmitted to the Honorable House.

#### **MESSAGE FROM THE HOUSE**

Returning following bills, together with conference committee reports thereon, advising adoption of conference committee reports and passage of measures as amended:

**SB 615**  
**SB 902**  
**SB 1164**  
**SB 1329**

The above-numbered measures, as amended in conference, were referred for enrollment.

#### **REPORT OF ENGROSSED AND ENROLLED MEASURES**

**SBs 615, 902, 1164, 1329, 1600, 1603 and 1604** were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

#### **MESSAGES FROM THE HOUSE**

Advising fourth reading of and transmitting for signature Enrolled **HBs 2398, 2763, 2821 and 3164**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising fourth reading of and returning Enrolled **SBs 615, 902, 1164, 1329, 1600, 1603 and 1604**.

The above-numbered enrolled measures were referred to the Governor.

Advising conference granted on Engrossed **SB** and naming House conferees as follows:

**SB 1001** - Conference Committee on Criminal Justice and Corrections

## **CONFERENCE COMMITTEE REPORTS SUBMITTED**

Conference committee reports were read on the following bills:

**SB 1059**

**SB 1156**

Senator Schulz moved that when the clerk's desk is clear, the Senate stand adjourned to convene Wednesday, May 25, 2016, at 9:30 a.m., which motion prevailed.

## **COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

**SB 1597** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bass, Bice, Boggs, Brecheen, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Halligan, Holt, Jech, Jolley, Justice, Loveless, Mazzei, Newberry, Sharp, Silk, Smalley, Stanislawski, Sykes, Thompson, Treat, Yen

Nays: Dossett, Floyd, Matthews, Pittman, Sparks

House:

Ayes: Billy, Casey, Coody (A), Cox, Hoskin, Inman, Johnson, Martin, McCall, McCullough, McPeak, Nelson, Ortega, Osborn, Ownbey, Peterson, Rousselot, Russ, Sears, Wesselhoft, Wright.--21

Nays: Brown, Morrissette, Sanders, Sherrer.--4

**SB 1607** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Griffin, Halligan, Jolley, Justice, Marlatt, Matthews, Mazzei, Pittman, Sharp, Silk, Sparks, Standridge, Treat, Wyrick, Yen

Nays: Brecheen, Fry, Holt, Loveless, Quinn, Sykes, Thompson

House:

Ayes: Billy, Casey, Coody (A), Cox, Hoskin, Inman, Johnson, Martin, McPeak, Ortega, Osborn, Ownbey, Peterson, Rousselot, Sanders, Sears, Wesselhoft, Wright.--18

Nays: Bennett, Brown, McCall, McCullough, Morrissette, Russ.--6

**SB 1612** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jolley, Justice, Loveless, Marlatt, Mazzei, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Wyrick, Yen

Nays: Allen, Dossett, Floyd, Matthews, Pittman, Sparks

House:

Ayes: Bennett, Casey, Coody (A), Cox, Johnson, Martin, McCullough, Nelson, Ortega, Ownbey, Peterson, Russ, Sears, Wright.--14

Nays: Brown, Hoskin, Inman, McDaniel (J), McDaniel (R), McPeak, Morrissette, Osborn, Rousselot, Sanders, Sherrer.--11

DO PASS, As Amended:

**CS for SB 1584** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Anderson, Barrington, Bice, Bingman, Boggs, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jolley, Justice, Loveless, Marlatt, Mazzei, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Treat, Yen

Nays: Dossett, Floyd, Matthews, Sparks

House:

Ayes: Billy, Brown, Casey, Coody (A), Cox, Johnson, Martin, McCall, McCullough, Nelson, Ortega, Osborn, Ownbey, Peterson, Russ, Sanders, Sears, Wesselhoft, Wright.--19

Nays: Hoskin, Inman, McPeak, Morrissette, Rousselot, Sherrer.--6

**CS for SB 1592** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Anderson, Barrington, Bass, Bice, Bingman, Boggs, Brooks, Brown, Crain, Dahm, David, Fields, Ford, Fry, Garrison, Griffin, Halligan, Holt, Jolley, Justice, Loveless, Marlatt, Mazzei, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Standridge, Stanislawski, Treat, Wyrick, Yen

Nays: Dossett, Floyd, Matthews, Sparks

House:

Ayes: Bennett, Billy, Brown, Casey, Coody (A), Cox, Hoskin, Inman, Johnson, Martin, McCall, McCullough, McPeak, Morrissette, Ortega, Osborn, Ownbey, Peterson, Rousselot, Russ, Sanders, Sears, Wright.--23

Nays: .--0

**CS for SB 1608** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bice, Boggs, Brecheen, Brooks, Crain, Dahm, Ford, Fry, Halligan, Holt, Jech, Jolley, Justice, Mazzei, Newberry, Quinn, Sharp, Shaw, Shortey, Standridge, Stanislawski, Sykes, Treat, Wyrick

Nays: Bass, Dossett, Fields, Floyd, Griffin, Matthews, Paddack, Pittman, Smalley, Sparks, Thompson

House:

Ayes: Billy, Casey, Coody (A), Cox, Johnson, McCullough, McDaniel (R), Ortega, Ownbey, Peterson, Russ, Sears, Wright.--13

Nays: Brown, Hoskin, Inman, Martin, McDaniel (J), Morrissette, Osborn, Rousselot, Sherrer.--9

**CS for SB 1616** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Barrington, Bice, Boggs, Crain, Dahm, David, Fields, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Loveless, Marlatt, Quinn, Schulz, Sharp, Shaw, Simpson, Smalley, Standridge, Stanislawski, Thompson, Treat, Yen

Nays: Anderson, Brecheen, Brooks, Brown, Dossett, Floyd, Mazzei, Paddack, Pittman, Silk, Sparks

House:

Ayes: Billy, Casey, Coody (A), Cox, Johnson, McCall, McCullough, McDaniel (R), Ortega, Osborn, Peterson, Russ, Sanders, Sears, Wesselhoft, Wright.--16

Nays: Brown, Hoskin, Inman, Martin, McPeak, Morrissette, Nelson, Ownbey, Rousselot, Sherrer.--10

**CS for SB 1618** – Joint Committee on Appropriations and Budget

Senate:

Ayes: Allen, Anderson, Barrington, Bice, Boggs, Brooks, Brown, Crain, Dahm, David, Dossett, Fields, Floyd, Ford, Fry, Griffin, Halligan, Holt, Jech, Jolley, Justice, Marlatt, Mazzei, Newberry, Paddack, Quinn, Sharp, Shaw, Silk, Simpson, Smalley, Sparks, Standridge, Thompson, Treat, Yen

Nays: Brecheen

House:

Ayes: Bennett, Billy, Brown, Casey, Coody (A), Cox, Hoskin, Inman, Johnson, Martin, McCall, McCullough, Morrissette, Nelson, Ortega, Osborn, Ownbey, Peterson, Rousselot, Russ, Sears, Sherrer, Wright.--23

. Nays: Wesselhoft.--1

**SECOND READING**

The following were read for the second time and referred to committee as indicated:

**HB 3218** – Direct To Calendar

**HB 3219** – Direct To Calendar

**SB 1620** – Joint Committee on Appropriations and Budget

**CHANGE IN AUTHORS/COAUTHORS**

The following measures were authored/coauthored:

**SB 1616** - Coauthored by Sharp

**SB 1618** - Coauthored by Sharp

Coauthored by Mazzei

**HB 2763** - Coauthored by Dossett

Coauthored by Sparks

Coauthored by Sharp

**MESSAGE FROM THE GOVERNOR**

Advising her approval May 24, 2016, of Enrolled **SBs 1016, 1496, 1579, 1582, 1596, 1598, 1599, 1605** and **1606**.

Pursuant to the Schulz motion, the Senate adjourned at 4:45 p.m. to meet Wednesday, May 25, 2016, at 9:30 a.m.

**JOURNAL CORRECTION**

Monday, May 23, 2016, 64<sup>th</sup> Legislative Day, Page 1069, beginning at Line 13, insert the following:

**“MESSAGE FROM THE HOUSE**

Advising passage of and returning the following Engrossed bills:

**SB 1600** - (Emergency Failed)

**SB 1603** - (Emergency Failed) coauthored by Representative Ritze

**SB 1604**

The above-numbered measures were referred for enrollment.”